

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
March 19, 2008**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:09 A.M. on March 19, 2008 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia

**BOARD MEMBERS  
PRESENT:**

Lynne M. Cooper, Citizen Member, President  
Florence Jones-Clarke, R.N., M.S., Vice President  
Brenda L. Hale, R.N., Secretary  
Peregrin Francisco, R.N., M.S.A.  
Linda D. Gross, Citizen Member  
John M. Horn, L.P.N.  
Patricia C. Lane, R.N., B.S.N.  
Evelyn Lindsay, L.P.N.  
Lawrence L. Logan, Citizen Member  
Judith E. Piersall, R.N., B.S.N.  
G. Maxine Ponn, L.P.N.  
Patricia M. Selig, R.N., F.N.P., Ph.D.

**BOARD MEMBERS ABSENT:**

Woody B. Hanes, R.N., M.S.N., F.N.P.

**STAFF PRESENT:**

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director  
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline  
Brenda Krohn, R.N., M.S., Deputy Executive Director, Medication Aide Registry  
Manager  
Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry  
Manager  
Linda Kleiner, R.N., Discipline Case Manager  
Amy Davis, Administrative Assistant

**OTHERS PRESENT:**

Ishneila Moore, Assistant Attorney General  
Anne Joseph, Deputy Director, Administrative Proceedings Division (joined later)  
Emily Field, Adjudication Specialist (joined later)

**ESTABLISHMENT OF  
A QUORUM:**

With twelve members of the Board present, a quorum was established.

**CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:**

Ms. Douglas indicated the following agency subordinate recommendations will not be considered by the Board, although on the agenda:

- Weldon Davis, R.N., L.N.P.

- Joy Prince, R.N., L.N.P.
- Dawn Muth, R.N., L.N.P.
- Teresa Sayers, R.N.

**Katherine K. P. Wilson, R.N. 0001-165554**

Ms. Wilson appeared and addressed the Board.

**CLOSED MEETING:**

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 9:15 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Mitchell, Ms. Kleiner, Ms. Power, Ms. Krohn, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:**

The Board reconvened in open session at 9:36 A.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Jones-Clarke moved that the Board of Nursing edit the recommended Finding of Fact #5 to remove “According to” and “she” in the last sentence.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Katherine Wilson on probation for three years with terms as edited by the Board.

The motion was seconded and carried unanimously.

**DISCUSSION:**

Prior to further consideration of agency subordinate recommendations, Ms. Lane inquired about rationale for placing individuals on probation rather than ordering into the Health Practitioners Intervention Program. Ms. Lane and Dr. Selig noted a number of agency subordinate recommendations that recommended such, which appeared inconsistent with past Board of Nursing practice. Ms. Douglas added the concern expressed is consistent with the Department of Health Professions position on resources related to monitoring. Ms. Douglas emphasized this is an issue for special conference committees as well as agency subordinate informal conferences and findings of fact should reflect rationale on why probation is determined as appropriate action (i.e. nursing practice issues) rather than the Health Practitioners Intervention Program.

**CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS CONTINUED:**

**Jerine M. McConnell, R.N. 0001-035265**

Ms. McConnell did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend Jerine McConnell's right to renew her professional nursing license for a period of not less than two years and until such time as she is able to resume the safe and competent practice. The motion was seconded and carried unanimously.

**Suzanne Cunningham, R.N. 0001-092156**

Ms. Cunningham did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate that the license of Suzanne Cunningham be indefinitely suspended for a period of not less than two years and until such time as she is able to resume the safe and competent practice of professional nursing. The motion was seconded and carried unanimously.

**Florence Stewardson, L.P.N. 0002-056213**

Ms. Stewardson did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate that the Board take no action contingent upon Florence Stewardson's continue compliance with her Health Practitioners Intervention Program contracts. The motion was seconded and carried unanimously.

**Miranda Nunnally, L.P.N., 0002-076302; C.M.T 0019-003350**

Ms. Nunnally did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate that the Board take no action contingent upon Miranda Nunnally remaining in compliance with her Health Practitioners Intervention Program contracts. The motion was seconded and carried unanimously.

**Rosemary Jenkins, R.N. 0001-170076**

Ms. Jenkins did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Rosemary Jenkins and place Ms. Jenkins on probation with terms for two years of actual nursing practice. The motion was seconded and carried unanimously.

**Carol E. Waddy, C.N.A. 1401-063679**

Ms. Waddy did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate issued to Carol Waddy with a finding of misappropriation of patient property. The motion was seconded and carried unanimously.

**Kennedy Ashley, C.N.A. 1401-048029**

Ms. Ashley did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right to renew the nurse aide certificate of Kennedy Ashley with a finding of abuse and neglect.  
The motion was seconded and carried unanimously.

**Mattie E. Gales, C.N.A. 1401-046944**

Ms. Gales did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right to renew the nurse aide certificate of Mattie Gales with a finding of misappropriation of patient property.  
The motion was seconded and carried unanimously.

**Ashley Christensen, C.N.A. 1401-105635**

Ms. Christensen did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Ashley Christensen with a finding of misappropriation of patient property.  
The motion was seconded and carried unanimously.

**Denise Baxter, C.N.A. 1401-112459**

Ms. Baxter did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Denise Baxter.  
The motion was seconded and carried unanimously.

**Crystal Poole, C.N.A. Applicant**

Ms. Poole did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate that the application of Crystal Poole for certification by examination as a nurse aide be denied.  
The motion was seconded and carried unanimously.

**Adeola Oshode, C.N.A. 1401-118265**

Ms. Oshode did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Adeola Oshode with a finding of misappropriation of patient property.  
The motion was seconded and carried unanimously.

**Michelle L. McDaniel, R.N. 0001-175492**

Ms. McDaniel did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Michelle McDaniel with said suspension stayed contingent expressly upon Ms.

McDaniel's entry into and remaining in compliance with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

**Roxana Pierson, R.N. 0001-195697**

Ms. Pierson did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate determining that probable cause exists pursuant to § 54.1-2400(15) of the *Code of Virginia* to order Roxana Pierson to obtain a mental health evaluation from a mental health specialist satisfactory to the Board and that she have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board within 90 days. Final disposition of the matter is deferred until the mental health evaluation is received and considered by the Board.

The motion was seconded and carried unanimously.

**CLOSED MEETING:**

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 10:04 A.M., for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Mitchell, Ms. Kleiner, Ms. Power, Ms. Krohn, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:**

The Board reconvened in open session at 11:29 A.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**Holly B. Dawson, L.P.N. 0002-051851**

Ms. Dawson did not appear.

Dr. Selig moved to accept the recommended decision of the agency subordinate to issue an order to reprimand Holly Dawson.

The motion was seconded and carried. Ms. Cooper, Ms. Hale, Ms. Francisco, Ms. Gross, Mr. Horn, Ms. Lane, Ms. Lindsay, Mr. Logan, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Jones-Clarke opposed the motion.

**Melissa Pennington, R.N. 0001-165688**

Ms. Pennington did not appear.

Dr. Selig moved to reject the recommended decision of the agency subordinate and refer the matter of Melissa Pennington to a formal hearing.

The motion was seconded and carried. Ms. Cooper, Ms. Jones-Clarke, Ms. Hale, Ms. Gross, Mr. Horn, Ms. Lane, Ms. Lindsay, Mr. Logan, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Francisco and Ms. Piersall opposed the motion.

**Robert E. Wooding, R.N. 0001-190692**

Mr. Wooding did not appear.

Dr. Selig moved to accept and modify the recommended decision of the agency subordinate that Robert Wooding shall be placed on probation with terms for one year of actual nursing practice.

The motion was seconded and carried unanimously.

**Jennifer Bryant, R.N. 0001-175195**

Ms. Bryant did not appear.

Dr. Selig moved to deny the recommended decision of the agency subordinate, rejecting probation and instead indefinitely suspending the professional nursing license of Jennifer Bryant, with said suspension to be stayed contingent upon entry into the Health Practitioners Intervention Program and remaining in compliance with the terms of the contract with the Health Practitioners Intervention Program thereafter.

The motion was seconded and carried unanimously.

**Tony Wayne Weaver, R.N., 0001-059169**

Mr. Weaver did not appear.

Dr. Selig moved to modify the recommended decision of the agency subordinate rejecting probation and instead indefinitely suspending the license of Tony Weaver with said suspension to be stayed upon entry in to the Health Practitioners Intervention Program and remaining in compliance with the terms of the contract with the Health Practitioners Intervention Program thereafter.

The motion was seconded and carried unanimously.

**Lori L. Lilly, L.P.N. 0002-060740**

Ms. Lilly did not appear.

Ms. Lane moved to accept the recommended decision of the agency subordinate to indefinitely suspend the license of Lori Lilly for a period of not less than two years and until such time she is able to resume the safe and competent practice of practical nursing.

The motion was seconded and carried unanimously.

**Jeannette L. White, C.N.A. 1401-110052**

Ms. White did not appear.

Ms. Jones-Clarke moved to accept and modify the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Jeannette White for a period of not less than one year, rejecting and removing that the suspension would be stayed contingent upon proof of her re-entry in to a Health Practitioners Intervention Program.

The motion was seconded and carried. Ms. Cooper, Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Ms. Gross, Ms. Lane, Ms. Lindsay, Mr. Logan and Ms. Ponn were in favor of the motion. Mr. Horn, Ms. Piersall, and Dr. Selig opposed the motion.

**Kimberly A. Ball, C.N.A. 1401-084966**

Ms. Ball did not appear.

Ms. Lane moved to accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Kimberly Ball for not less than two years and until such time as she is able to demonstrate she can resume the safe and competent practice as a nurse aide.

The motion was seconded and carried unanimously.

**Suzanne S. Smith, R.N. 0001-180544**

Ms. Smith did not appear.

Ms. Jones-Clarke moved to accept the recommended decision of the agency subordinate to place Suzanne Smith on probation with terms for a period of three years of active nursing practice, but modify term #6 to indicate she shall not practice until that term (mental health evaluation) is met.

The motion was seconded and carried unanimously.

**Serena T. Patterson, L.P.N., 0002-031760**

Ms. Patterson did not appear.

Ms. Lane moved to reject the recommended decision of the agency subordinate and refer the matter of Serena Patterson to a formal hearing.

The motion was seconded and carried. Ms. Jones-Clarke, Ms. Hale, Ms. Gross, Mr. Horn, Ms. Lane, Ms. Lindsay, Mr. Logan were in favor of the motion. Ms. Ponn, Ms. Cooper, Ms. Francisco, Dr. Selig and Ms. Piersall opposed the motion.

**Nicole R. Wimmer, R.N. 0001-192711**

Ms. Wimmer did not appear.

Ms. Lane moved to accept the recommended decision of the agency subordinate to indefinitely suspend the license of Nicole Wimmer, but modify it by adding that said suspension shall be stayed contingent upon entry into the Health Practitioners Intervention Program and remaining in compliance thereafter.

The motion was seconded and carried. Ms. Cooper, Ms. Jones-Clarke, Ms. Hale, Ms. Gross, Ms. Lane, Ms. Lindsay and Mr. Logan were in favor of the motion. Ms. Piersall, Dr. Selig, Mr. Horn, Ms. Francisco and Ms. Ponn opposed the motion.

**CONSIDERATION OF APPLICANTS:**

**Brian L. Doering, C.N.A. Endorsement Applicant**

Mr. Doering did not appear.

Ms. Hale moved to accept the recommended decision of the informal conference committee and issue an order to deny the application of Brian Doering for certification by endorsement as a nurse aide in Virginia.

The motion was seconded and carried unanimously.

**Jovelyn Lucas, L.P.N. Endorsement Applicant**

Ms. Lucas did not appear.

Ms. Piersall moved to accept the recommended decision of the informal conference committee and issue an order to deny the application of Jovelyn Lucas for licensure by endorsement as a licensed practical nurse in Virginia. The motion was seconded and carried unanimously.

**Lisa A. Hodges, C.N.A. Examination Applicant**

Ms. Hodges did not appear.

Dr. Selig moved to accept the recommended decision of the informal conference committee to issue an order to deny the application of Lisa Hodges for certification by examination as a nurse aide in Virginia. The motion was seconded and carried unanimously.

RECESS: The Board recessed at 11:30 A.M.

RECONVENTION: The Board reconvened at 11:40 A.M.

**CONSIDERATION OF PROPOSED CONSENT ORDER:**

Ms. Cooper, Ms. Francisco, Ms. Gross, Mr. Logan, Ms. Ponn and Dr. Selig left the meeting. Ms. Joseph and Ms. Field joined the meeting.

**Teresa Buchanan, R.N.**

Ms. Field and Ms. Joseph presented additional information and a proposed consent order regarding the pending formal hearing of Teresa Buchanan, R.N.

Ms. Lane moved to reject the proposed consent order. The motion was seconded and carried unanimously. The formal hearing will proceed on April 1, 2008 as scheduled.

ADJOURNMENT: The meeting was adjourned at 12:17 P.M.

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Lynne M. Cooper, Citizen Member  
President

Panel A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:08 P.M. on March 19, 2008 in Board Room 1, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

BOARD MEMBERS  
PRESENT: Florence Jones-Clarke, R.N., M.S., Vice President  
Brenda L. Hale, R.N.  
John M. Horn, L.P.N.  
Lawrence L. Logan, Citizen Member  
Judith E. Piersall, R.N., B.S.N.  
Patricia M. Selig, R.N., F.N.P., Ph.D.

STAFF PRESENT: Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry Manager  
Brenda Krohn, R.N., M.S., Deputy Executive Director, Medication Aide Registry Manager  
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT: Ishneila Moore, Assistant Attorney General

ESTABLISHMENT OF  
A QUORUM: With six members of the Board present, a quorum was established.

FORMAL HEARINGS  
SCHEDULED: **Gretchen Santos, C.N.A. Reinstatement Applicant 1401-109311**  
Ms. Santos appeared.  
Emily Field, Adjudication Specialist represented the Commonwealth. Ms. Moore was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 1:58 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Santos. Additionally, Ms. Hale moved that Ms. Power, Ms. Krohn, Ms. Lee and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.  
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:09 P.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.  
The motion was seconded and carried unanimously.

Mr. Horn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Field and amended by the Board. The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing deny the application of Gretchen Santos for reinstatement and to revoke the right to renew the nurse aide certificate of Ms. Santos.

The motion was seconded and approved unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS  
SCHEDULED:

**Diane E. McBride, C.N.A. 1401-056534**

Ms. McBride appeared, accompanied by friends Shirley Taylor; Corey Tates; and James Bistro.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Ms. Moore was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Filomino Duquette, C.N.A. Bayside Healthcare Center; Teresa Ayana, C.N.A., Basyside Healthcare Center; June Morrison, Senior Investigator, Department of Health Professions; Melvina Russ, L.P.N., Tandem Healthcare; Shirley Taylor, C.N.A. Tandem Healthcare; Corey Tate, C.N.A., Tandem Healthcare; James Bistro, Floor Technician, Tandem Healthcare and Georgette Wilkins, L.P.N., former Tandem Healthcare employee were present and testified.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 5:12 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. McBride. Additionally, Ms. Hale moved that Ms. Krohn, Ms. Lee and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 5:28 P.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Piersall moved that Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing revoke the nurse aide certificate of Diane McBride with a finding of abuse and neglect.

The motion was seconded and carried. Ms. Hale, Mr. Horn, Mr. Logan, Ms. Piersall and Dr. Selig were in favor of the motion. Ms. Jones-Clarke opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS  
SCHEDULED:

**Anna M. Martin, R.N. 0001-081344**

Ms. Martin appeared, accompanied by her brother, Phillip Husoveck. Tammie Jones, Adjudication Specialist represented the Commonwealth. Ms. Moore was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

At the outset, Ms. Martin indicated she wished to request a continuance in order to obtain an attorney as she did not understand the gravity of the situation related to a formal hearing of the Board.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(7) of the *Code of Virginia* at 5:50 P.M. for consultation with and the provision of legal advice by the Assistant Attorney General in the matter of Anna Martin. Additionally, Ms. Hale moved that Ms. Power, Ms. Krohn, Ms. Lee and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 5:58 P.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

The Board announced Ms. Martin's continuance request was granted.

ADJOURNMENT:

The Board adjourned at 6:00 P.M.

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Florence Jones-Clarke, R.N., M.S.  
Vice President

## Panel B

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 1:05 P.M. on March 19, 2008 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia

**BOARD MEMBERS PRESENT:** Lynne M. Cooper, Citizen Member, President  
Peregrin Francisco, R.N., M.S.A.  
Linda D. Gross, Citizen Member  
Patricia C. Lane, R.N., B.S.N.  
Evelyn Lindsay, L.P.N.  
G. Maxine Ponn, L.P.N.

**STAFF PRESENT:** Jay P. Douglas, R.N., M.S.M, C.S.A.C., Executive Director  
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline  
Amy Davis, Administrative Assistant

**OTHERS PRESENT:** Amy Marschean, Senior Assistant Attorney General

**ESTABLISHMENT OF A QUORUM:** With six members of the Board present, a quorum was established.

**FORMAL HEARINGS SCHEDULED:** **Crystal Lawson, L.P.N. 0002-066161**  
Ms. Lawson did not appear.  
Peter Opper, Adjudication Specialist represented the Commonwealth. Ms. Marschean was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Sandra Barton, Senior Investigator, Department of Health Professions; and Martha Ann Spruill, Case Manager, Health Practitioners Intervention Program were present and testified. Jennifer Lyttle, VCCC testified by telephone.

**CLOSED MEETING:** Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 1:30 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lawson. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Ms. Marschean attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

**RECONVENTION:** The Board reconvened in open session at 1:45 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Oppen and amended by the Board.  
The motion was seconded and carried unanimously.

Ms. Lindsay moved that the Board of Nursing indefinitely suspend Crystal Lawson's right to renew her license for a period of not less than two years.  
The motion was seconded and approved unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

#### FORMAL HEARINGS

##### **Tina Marchant, R.N. 0001-073804**

Ms. Marchant did not appear.

Peter Oppen, Adjudication Specialist, represented the Commonwealth, Amy Marschean, Senior Assistant Attorney General was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Anthony Sellers, Senior Investigator, Department of Health Professions; and Martha Ann Spruill, Case Manager, Health Practitioners Intervention Program were present and testified.

#### CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 2:16 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Marchant. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Ms. Marschean attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.  
The motion was seconded and carried unanimously.

#### RECONVENTION:

The Board reconvened in open session at 2:27 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.  
The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Oppen and amended by the Board.  
The motion was seconded and carried unanimously.

Ms. Ponn moved that the Board of Nursing indefinitely suspend the license of Tina Marchant for a period of not less than two years.  
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS

**Myra Feldman, R.N. 0001-086745**

Ms. Feldman appeared.

Tonya James, Compliance Case Manager, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(15) of the *Code of Virginia* at 3:17 P.M. for the purpose of consideration and discussion of medical records of Myra Feldman that are excluded from the Freedom of Information Act by Virginia Code Section 1 of 2.2-3705.5. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, Ms. Marschean, Ms Davis, Mr. Oppen, Ms. Feldman and Ms. Bush attend the closed meeting because their attendance in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened at 3:30 P.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 3:36 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Feldman. Additionally, Ms. Feldman moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Ms. Marschean attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:21 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Oppen and amended by the Board.

The motion was seconded and carried unanimously.

Ms. Gross moved that the Board of Nursing indefinitely suspend the license of Myra Feldman for a period of not less than two years.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT:

The Board adjourned at 4:22 PM.

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Lynne M. Cooper, Citizen Member  
Vice President